

REMARKS

Claims 15 – 17 and 21 – 36 are pending in the present application. Claims 16, 17, 21-24, 26-32, 34 and 36 are withdrawn from consideration as being drawn to a non-elected invention. Claims 15, 25, 33, and 35 are rejected. Claims 15, 25, 29, 33 and 34 are amended. As the specification fully supports the amendments, the amendments adds no new matter.

In view of the amendments and the following remarks, reconsideration of claims 15, 25, 33 and 35, and consideration of claims 22, 29, 34 and 36 are respectfully requested.

102 Rejections

Claims 15 and 25 are rejected as being anticipated by U.S. Patent No. 5,602,099 (hereinafter “the ‘099 patent”). The Patent Office stated:

The ‘099 patent teaches a peptide containing 3 bromotryosine, see SEQ ID NO. 14 in particular, wherein said peptide is an opioid receptor.

The molecule shown in SEQ ID NO. 14 of the ‘099 patent contains 3-bromotyrosine, 1, 2, 3, 4-tetrahydroisoquinoline-3-carboxylic acid (Tic), phenylalanine and phenylalanine. Since Tic is not an amino acid, the molecule of SEQ ID NO. 14 is not a peptide that consists of 3-bromotyrosine and one or more amino acids as recited in claims 15 and 25 as amended. Lacking a disclosure of a peptide that consists of 3-bromotyrosine and one or more amino acids, the ‘099 patent does not anticipate claims 15 and 25, as amended.

103 Rejections

Claims 15, 25, 33, and 35 are rejected as being unpatentable over U.S. Patent No. 5,602,099 in view of U.S. Patent No. 6,319,686 (hereinafter “the ‘686 patent”).

The ‘099 patent does not teach or suggest a peptide consisting of 3-bromotyrosine and one or more amino acids as recited in claims 15, 25, 33, and 25 as amended. All of the opioid receptor antagonists disclosed in the ‘099 patent contain a residue which is not an amino acid at location 2 or 3 (See SEQ ID NOs. 1-35 of the ‘099 patent). Thus, the

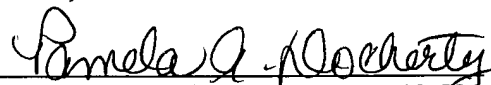
'099 patent would not motivate one of ordinary skill in the art to make or use a peptide consisting of 3-bromotyrosine and one or more amino acids.

The '686 patent does not provide the teachings or suggestions absent from the '099 patent. There is nothing in the '686 patent to suggest that the residue located at position 2 or position 3 of the molecules recited in the Sequence Listing of the '099 patent should be replaced with an amino acid. Moreover, there is nothing in the '686 patent to suggest that the molecules whose structures are shown in column 2 and 3 of the '099 patent should be modified to form a peptide that consists of 3-bromotyrosine and one or more amino acids. Accordingly, the '686 patent, and the '099 patent do not render the reagents recited in claims 15, 25, 33, and 35 of the present application obvious.

In view of the amendments and remarks, Applicants submit that the elected species recited in claims 15, 25, 33, and 35 of the present application is allowable and request that claims 27, 29, 34, and 36 should be considered. Applicants also respectfully request prompt notification of allowance of claims 15, 25, 27, 29, and 33-36.

Respectfully submitted,

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July 21, 2004